

REESE LLP

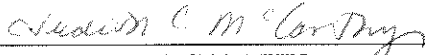
Via ECF

May 7, 2025

Honorable Judith C. McCarthy
United States District Court
for the Southern District of New York
The Hon. Charles L. Briant Jr.
Federal Building and United States Courthouse
300 Quarropas Street
White Plains, New York 10601

SO ORDERED:

Defendant is directed to respond to this letter by close of business, May 12, 2025.

 5-8-25
JUDITH C. MCCARTHY
United States Magistrate Judge

Re: Buffington et al. v. sPay, Inc.
Case No. 7:24-cv-02541-PMH (S.D.N.Y.)

Dear Judge McCarthy:

Along with co-counsel, my firm and I represent plaintiffs and the proposed classes in the above-referenced action. We submit this letter pursuant to section I.A. of Your Honor's Individual Practices.

We are in receipt of Your Honor's order from earlier today (ECF No. 37)("Order") scheduling a settlement conference for June 18, 2025.

As part of Your Honor's Order, we are required to make a settlement demand prior to the settlement conference. However, in order for us to do so, we need certain information from Defendant. Specifically, we need to know the amount of allegedly improper service fees at issue here that Defendant charged during the class period. We need both the total dollar amount of fees charged, as well as the number of service fees charged in New York state (where plaintiffs are entitled to the greater of actual damages or statutory damages for each improper service fee charged).

We requested this information from defendant on March 24, 2025, but Defendant has not provided this requisite information. Accordingly, we request that the Court order Defendant to produce this information to us no later than May 21, 2025 so that we can make a settlement demand in compliance with Your Honor's Order.

Respectfully submitted,



Michael R. Reese